

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MITCHEL DAVIS,

Plaintiff,

v.

BEACON LODGE HOUSE, et al.,

Defendants.

Case No. 1:24-cv-121

HON. JANE M. BECKERING

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MEMORANDUM OPINION AND ORDER

Plaintiff, proceeding pro se, filed this action challenging a state court order that he be committed for psychiatric treatment. Defendants moved to dismiss the matter, and the motion was referred to the Magistrate Judge, who issued a Report and Recommendation, recommending that their motion be granted. The matter is presently before the Court on Plaintiff's objection to the Report and Recommendation (ECF No. 43). Plaintiff disagrees with the Magistrate Judge's jurisdictional analysis, but he identifies no factual or legal error by the Magistrate Judge. Accordingly, consistent with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3), this Court adopts the Magistrate Judge's Report and Recommendation as the Opinion of this Court. This Court will also enter a Judgment. *See* FED. R. CIV. P. 58. Pursuant to 28 U.S.C. § 1915(a)(3), this Court certifies that an appeal of the Judgment would not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

Accordingly:

IT IS HEREBY ORDERED that the Objections (ECF No. 43) are DENIED and the Report and Recommendation of the Magistrate Judge (ECF No. 42) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion to Dismiss (ECF No. 34) is GRANTED for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith.

Dated: December 20, 2024

/s/ Jane M. Beckering
JANE M. BECKERING
United States District Judge

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JUDGMENT

In accordance with the Order entered this date:

IT IS HEREBY ORDERED that Judgment is entered in favor of Defendants and against Plaintiff.

Dated: December 20, 2024

/s/ Jane M. Beckering
JANE M. BECKERING
United States District Judge